

CONNECTICUT LAW JOURNAL



Published in Accordance with
General Statutes Section 51-216a

VOL. LXXX No. 22

November 27, 2018

115 Pages

Table of Contents

CONNECTICUT REPORTS

Bongiorno v. Capone (Order), 330 C 943	21
Browning v. Van Brunt, DuBiago & Co., LLC, 330 C 447.	3
<i>Breach of contract; motion to dismiss; subject matter jurisdiction; claim that plaintiffs, as trust beneficiaries, lacked standing to assert breach of contract claim against certain defendants on ground that trustee is appropriate party to bring action against third parties for liability to trust; whether plaintiffs fit within exception to general rule providing that beneficiaries may bring claim against third parties if trustee improperly refused or improperly neglected to bring action on behalf of trust; whether motion to dismiss was proper vehicle to challenge plaintiffs' standing to assert their breach of contract claim.</i>	
Carolina v. Commissioner of Correction (Order), 330 C 943	21
Dupigny v. Commissioner of Correction (Order), 330 C 942	20
Nationstar Mortgage, LLC v. Washington (Order), 330 C 943	21
U.S. Bank National Assn. v. Brouillard (Order), 330 C 944	22
Volume 330 Cumulative Table of Cases	23

CONNECTICUT APPELLATE REPORTS

Bozelko v. D'Amato, 186 CA 278	56A
<i>Legal malpractice; summary judgment; whether trial court properly rendered summary judgment in favor of defendants; whether plaintiff's failure to disclose expert witness to testify that her alleged injury was caused by defendant attorney's allegedly grossly negligent representation of her at sentencing hearing was fatal to legal malpractice claim; whether plaintiff failed to show that defendant attorney's alleged negligence caused plaintiff to be unprepared for sentencing hearing; whether plaintiff failed to demonstrate required components of causation for legal malpractice claim; whether there was unbroken sequence of events that tied plaintiff's injuries to defendant attorney's conduct; whether causal link between alleged negligence and plaintiff's alleged injuries was so obvious as to negate need for expert testimony on that issue.</i>	
Citibank, N.A. v. Stein, 186 CA 224	2A
<i>Foreclosure; claim that trial court improperly denied motion to dismiss and found that plaintiff had standing to bring foreclosure action; credibility of witnesses; whether assignee may continue litigation in name of original plaintiff; whether trial court abused its discretion by opening record to take additional evidence to address defendant's jurisdictional claims; reviewability of claims of error that have been induced by party claiming error on appeal; reviewability of claim that trial court abused its discretion by failing to consider certain documents; failure to brief claim adequately; claim that foreclosure action was deficient and false because mortgagor did not default on note; claim that plaintiff failed to meet burden to prove right to bring present action as nonholder in possession of note; whether trial court properly determined that plaintiff met requirements to prosecute foreclosure action.</i>	
DE Auto Transport, Inc. v. Eurolite, LLC, 186 CA 270	48A
<i>Wrongful repossession; conversion; statutory theft; claim that trial court, having assumed liability, erred in failing to award damages; whether credible evidence was presented in support of claim for lost profits; whether trial court had sufficient basis for estimating damages amount with reasonable certainty; whether trial</i>	

(continued on next page)

<i>court's determination that testimony and financial report were not credible was clearly erroneous; whether there was credible evidence presented by which trial court could estimate damages with reasonable certainty.</i>	
Moore v. Commissioner of Correction, 186 CA 254.	32A
<i>Habeas corpus; whether habeas court abused its discretion in denying petition for certification to appeal from judgment denying habeas petition; whether petitioner established that trial counsel provided ineffective assistance by failing to inform petitioner of potential total sentence exposure if petitioner succeeded at trial in proving lesser included offense; claim that trial counsel was ineffective in failing to further persuade petitioner to accept plea offers; whether trial counsel provided adequate information for petitioner to make informed decision as to whether to accept state's plea offers.</i>	
State v. Mark T., 186 CA 285.	63A
<i>Risk of injury to child; claim that trial court improperly precluded defendant from questioning minor victim's teacher about whether victim had been violent with others at school; whether trial court acted within its discretion to limit defendant's questioning of teacher, which did not relate to subject of state's redirect examination of teacher; whether trial court abused its discretion when it sustained state's objections to testimony about victim's misbehavior at home and how desperate defendant was to obtain treatment for her; claim that trial court's preclusion of defendant's testimony rendered his defense of parental justification toothless.</i>	
Volume 186 Cumulative Table of Cases	79A

NOTICES OF CONNECTICUT STATE AGENCIES

Motor Vehicles, Dept. of—Notice of Public Hearing	1B
Social Services, Dept. of—Notice of Proposed Medicaid State Plan Amendment (SPA). .	1B

CONNECTICUT LAW JOURNAL

(ISSN 87500973)

Published by the State of Connecticut in accordance with the provisions of General Statutes § 51-216a.

Commission on Official Legal Publications
Office of Production and Distribution
111 Phoenix Avenue, Enfield, Connecticut 06082-4453
Tel. (860) 741-3027, FAX (860) 745-2178
www.jud.ct.gov

RICHARD J. HEMENWAY, *Publications Director*

Published Weekly – Available at <https://www.jud.ct.gov/lawjournal>

Syllabuses and Indices of court opinions by
ERIC M. LEVINE, *Reporter of Judicial Decisions*
Tel. (860) 757-2250

The deadline for material to be published in the Connecticut Law Journal is Wednesday at noon for publication on the Tuesday six days later. When a holiday falls within the six day period, the deadline will be noon on Tuesday.